

### **REMARKS**

This Amendment is fully responsive to the non-final Office Action dated November 27, 2009, issued in connection with the above-identified application. Claims 1-19 are pending in the present application. With this Amendment, claims 1, 3, 5, 7-10 and 16-18 have been amended, and claims 2, 4 and 19 have been canceled without prejudice or disclaimer to the subject matter therein. No new matter has been introduced by the amendments made to the claims. Favorable reconsideration is respectfully requested.

The Applicants have amended the specification, the abstract and the figures. The amendments to the specification and the abstract are editorial in nature. Additionally, the amendments to the specification address the Examiner's objection to the specification. The amendments to the figures are necessary to indicate that Figs. 1, 2A, 2B, 3, 4A and 4B are directed to "Prior Art." Replacement portions of the specification and a replacement abstract are provided. Replacement sheets are also provided for Figs. 1, 2A, 2B, 3, 4A and 4B. No new matter has been introduced by the amendments made to the specification, the abstract and the figures.

In the Office Action, the specification is objected to for failing to provide proper antecedent basis for some of the claimed subject matter in claim 19. The Applicants have amended the specification to clarify that "[t]he image file memorizing unit 11 is an example of a non-transitory computer-readable recording medium." Accordingly, the recited "non-transitory computer-readable recording medium" is clearly supported by the Applicants' disclosure. Withdrawal of the objection to the specification is respectfully requested.

In the Office Action, claims 18 and 19 have been rejected under 35 U.S.C. 101 for being directed to non-statutory subject matter. Claim 19 has been canceled thereby rendering the above rejection under 35 U.S.C. 101 to that claim moot. Additionally, claim 18 has been amended to indicate that the program is "stored on a non-transitory computer-readable recording medium," which is clearly statutory subject matter (see MPEP 2106.01). Withdrawal of the rejection under 35 U.S.C. 101 to claims 18 and 19 is respectfully requested.

In the Office Action, claims 1-19 have been rejected under 35 U.S.C. 112, second paragraph, because of various instances of insufficient antecedent basis and grammatical errors. The Applicants have amended the claims to address the issues under 35 U.S.C. 112, second paragraph, identified by the Examiner. Withdrawal of the rejection under 35 U.S.C. 112, second

paragraph, to claim 1-19 is respectfully requested.

In the Office Action, claims 1-15 and 17-19 have been rejected under 35 U.S.C. 102(e) as being anticipated by Anthony et al. (U.S. Publication No. 2005/0091596, hereafter “Anthony”). Claims 2, 4 and 19 have been canceled thereby rendering the above rejection to these claims moot. Additionally, the Applicants have amended independent claims 1 and 17 to more clearly distinguish the present invention from the cited prior art. Independent claim 1 (as amended) recites the following features:

“[a]n image file list display device that displays on a screen a list of a plurality of image files classified by a series of different types, the image file list display device comprising:

a scaled-down image display unit operable to display each of the plurality of image files as a scaled-down image which is an image scaled down from an image indicated by each image file; and

a classification type display unit operable to display a type to which an image file belongs, the image file corresponding to a scaled-down image displayed by said scaled-down image display unit,

wherein said scaled-down image display unit is operable to position and display a scaled-down image corresponding to an image file that belongs to a targeted type on a targeted page, and to position and display a scaled-down image corresponding to another image file that belongs to the targeted type or a scaled-down image corresponding to an image file that belongs to another type lying adjacent to the targeted type, on an untargeted page having a smaller display area than the targeted page,

said classification type display unit is operable to display in alignment the type to which the image file corresponding to the scaled-down image displayed on the targeted page belongs and the type to which the image file corresponding to the scaled-down image displayed on the untargeted page belongs, the alignment corresponding to a location of the targeted page and a location of the untargeted page on the screen, and

said classification type display unit is operable to display the type corresponding to the pages in an area having a size corresponding to the number of the pages in the case where scaled-down images corresponding to image files belonging to a same type are positioned on a plurality of pages.” (Emphasis added).

The features emphasized above in independent claim 1 are similarly recited in

independent claim 17 (as amended). That is, independent claim 17 is a method that includes the steps directed to the features of the device of independent claim 1. Additionally, the features emphasized above in independent claim 1 (and similarly recited in independent claim 17) are fully supported by the Applicants' disclosure (see e.g., ¶ [0027]- ¶ [0028] and Fig. 6).

The present invention (as recited in independent claims 1 and 17) is distinguishable from the cited prior art in that an image file list display device (or method) includes a classification type display unit (or step) that displays a type corresponding to pages in an area having a size corresponding to the number of the pages in the case where scaled-down images corresponding to image files belonging to a same type are positioned on a plurality of pages.

In this way, a user can recognize which type of image file the scaled-down image of the targeted page and of the untargeted page is for. Also, because each type is displayed in the area of a size corresponding to the number of pages by each type, it is possible for the user to recognize how many image files exist for each of the types according to the size.

In the Office Action, the Examiner relies on Anthony for disclosing or suggesting all the features recited in independent claims 1 and 17. However, the Applicants assert that Anthony fails to disclose or suggest all the features now recited in independent claims 1 and 17, as amended.

Anthony discloses a three-dimensional view of data collection based on an attribute, which includes the use of a timeline for displaying files and folders. The timeline may include a focal group that displays detailed information about content to a user. Additionally, remaining items on the timeline are displayed in less detail and may be positioned to appear further away from the user.

For example, ¶ [0048] of Anthony discloses that "the focal group header 602a may have a label 604a and may be the width of the largest row in the focal group 509." Additionally, as described in Anthony, "the focal group header 602a may be smaller or larger than the width of the largest in the focal group 509." Thus, Anthony merely discloses that the width of the focal group header 602a is equal to the width of the focal group 509 on the display, or can be arbitrarily determined.

Furthermore, Figs. 6, 7, and 12b of Anthony disclose that the widths of the headers of the non-focal groups decrease as the headers are further away from the focal group. In other words, the width of the header in each of the non-focal groups increases and decreases depending on the

distance from the focal group and regardless of the number of images belonging to each non-focal group.

In Anthony, the height of a bar displayed on the histogram area indicates the data amount for each type (see e.g., Fig. 13). That is, the “header” in Anthony may only indicate an attribute of the data being displayed. Accordingly, it is not necessary for the header to represent the amount of data belonging to the focal group or the non-focal groups, which actually teaches away from the present invention (as recited in independent claims 1 and 17).

In the present invention (as recited in independent claims 1 and 17), it is possible for the user to recognize how many image files exist for each of the types according to the size of the area where each type is displayed (see e.g., individual classification type name display section 6; Fig. 6; and ¶ [0028]).

For example, the thumbnail display window illustrated in Fig. 6 shows that it is easily recognizable that the individual classification type name display section 6 for “Nagano Prefecture” is relatively large in size. Accordingly, the user who sees the window can easily recognize that there is a large number of image files for “Nagano Prefecture.” Similarly, the user can easily recognize that there is a small number of image files for “Aomori prefecture,” since the individual classification type name display section 6 for “Aomori prefecture” is relatively small in size.

That is, the individual classification type name display section 6 which serves as the header can also represent the amount of images for each type. Therefore, it is not necessary to provide a histogram area, as disclosed in Anthony.

For at least the reasons noted above, Anthony fails to disclose or suggest all the features recited in independent claims 1 and 17 (as amended). Additionally, Anthony fails to disclose or suggest all the features recited in claims 3, 5-15 and 18 at least by virtue of their respective dependencies from independent claims 1 and 17.

In the Office Action, claim 16 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Anthony in view of Moore et al. (U.S. Patent No. 7,409,644, hereafter “Moore”). Claim 16 depends from independent claim 1. As noted above, Anthony fails disclose or suggest all the features recited in independent claim 1 (as amended). Additionally, Moore fails to overcome the deficiencies noted above in Anthony. Accordingly, no combination of

Anthony and Moore would result in, or otherwise render obvious, claim 16 at least by virtue of its dependency from independent claim 1.

In light of the above, the Applicants submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass this application to issue. If any points remain in issue which the Examiner feels may best be resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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